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on September 9, 2005
Date


Signature

Diane Payne
Typed or printed name of person signing Certificate

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USSN: 10/521,693 ✓
Customer No.: 31846
Attorney Docket No.: I-2002.011 US

Receipt acknowledged of the following documents in the above-identified application:

Declaration (51 pages)
Response to Notice of Missing Requirements (1 page)
Notification of Missing Requirements of 8/19/2005 (3 pages)
Submission of Sequence Listing (2 pages)
Sequence Listing Paper Format (8 pages)
CRF Sequence Listing (1 cd)
Self addressed stamped post card (1)

#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

ADLER ET AL.

Serial Number: 10/521,693

Group Art Unit: To be assigned

Filed: Concurrently herewith

Examiner: To be assigned

For: NOVEL BRACHYSPIRA HYODYSENTERIAE VACCINE

Corresponding to: PCT/EP2003/007611 filed July 11, 2003

RESPONSE TO MISSING REQUIRMENTS

Assistant Commissioner of Patents
Alexandria, VA 22313

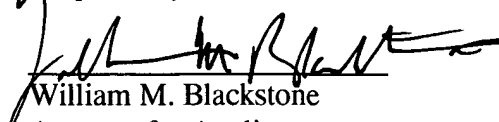
September 9, 2005

Sir:

Enclosed in response to the Notification of Missing Requirements of August 22, 2005, in the above-identified application is, as requested, a copy of the Oath and Declaration along with a Sequence Listing Submission on paper and in computer readable form.

In the event any fees are required with this paper, please charge our Deposit Account No. 02-2334.

Respectfully submitted,



William M. Blackstone
Attorney for Applicants
Registration No. 29,772

Intervet U.S. Department
P.O. Box 318
Millsboro, DE 19966
Tel: (302) 934-4317

Fax: (302) 934-4305
02/13/2006 7:00 PM 022334 10521693

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Attorney Docket: I-2002.011 US
Customer No.: 31846
USSN: 10/521,693
Page 1 of 1



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/521,693 | Ben Adler | T-2002.011 US |

INTERNATIONAL APPLICATION NO.

PCT/EP03/07611

I.A. FILING DATE

PRIORITY DATE

07/11/2003

07/17/2002

31846
 INTERVET U.S.
 PATENT DEPARTMENT
 PO BOX 318
 MILLSBORO, DE 19966-0318

CONFIRMATION NO. 8800
 371 FORMALITIES LETTER
 OC000000016818791
 OC000000016818791

Date Mailed: 08/19/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/18/2005
- Copy of the International Search Report filed on 01/18/2005
- Copy of IPE Report filed on 01/18/2005
- Preliminary Amendments filed on 01/18/2005
- Information Disclosure Statements filed on 01/18/2005
- U.S. Basic National Fees filed on 01/18/2005
- Priority Documents filed on 01/18/2005
- Specification filed on 01/18/2005
- Claims filed on 01/18/2005
- Abstracts filed on 01/18/2005
- Drawings filed on 01/18/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

TAMALA D HOLLAND

Telephone: (703) 308-9140 EXT 209

PART 1 - ATTORNEY/APPLICANT CO

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/521,693 | PCT/EP03/07611 | T-2002.011 US |

FORM PCT/DO/EO/905 (371 Formalities Notice)